

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRANDON EUGENE HUNTER,  
Plaintiff,  
v.  
BRENNEMAN, et al.,  
Defendants.

No. 2:22-cv-1141 DJC CKD P

ORDER

Plaintiff has filed a document the court construes as a request for an extension of time to file a second amended complaint. However, the court has not granted plaintiff leave to file a second amended complaint, and plaintiff has not presented good cause for the court doing so. Therefore, his request will be denied. Plaintiff is free to file a second amended complaint, but if he does, he must include a motion for leave to amend explaining why leave to amend should be granted. Under Rule 15 of the Federal Rules of Civil Procedure, the court grants leave to amend when “justice so requires.” In deciding whether leave to amend should be granted, the court considers, among other things, whether there has been undue delay or bad faith in seeking leave to amend. Anthony v. Cambra, 236 F.3d 568, 577 (9th Cir. 2000). If plaintiff does not establish good cause for granting leave to amend, the second amended complaint will be stricken.

////

////

1 Accordingly, IT IS HEREBY ORDERED that plaintiff's request for an extension of time  
2 to file a second amended complaint (ECF No. 35) is denied.

3 Dated: October 12, 2023



CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

8 1  
9 hunt1141.exta